IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 8757 of 2007(P)

SM.667/1996 of LAND TRIBUNAL, KANNUR
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PETITIONER:

KATTEERAKATH ALI, S/O.MOIDEEN KUTTY,
AGED 61 YEARS, RESIDING AT KARIMBAM,
TALIPARAMBA AMSOM DESOM, KARIMBAM P.O.,
TALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADV. SRI.B.RADHAKRISHNA PILLAI
SMT.S.AMBIKA DEVI
SRI.P.U.SHAILAJAN
SRI.R.JYOTHIKRISHNAN

RESPONDENTS:
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1. SOOPPIPOKKARAKATH ASSAINAR KUTTY,
S/O.ALIYAMMA, AGED 25 YEARS, RESIDING AT
VATTIYERA, PERINGOME AMSOM DESOM, TALIPARAMBA
TALUK.

2. THIMIRI DEVASWOM, REP. BY ITS
EXECUTIVE OFFICER, THIMIRI.

3. LAND TRIBUNAL, KANNUR (DEPUTY COLLECTOR,
LR).

BY ADV. SRI.K.V.SOHAN
SMT.SREEJA SOHAN.K.
BY GOVERNMENT PLEADER SRM. R. BINDU.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT. P1 TRUE COPY OF NOTICE ISSUED BY THE LAND TRIBUNAL TO THE PETITIONERS IN S.M. 667/96.

EXT.P3 TRUE COPY OF DOCKET PROCEEDINGS.

[True copy]

P.A. to Judge.

M.N. KRISHNAN, J.

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W.P.C. NO. 8757 OF 2007

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Dated this the 29th day of May, 2007.

J U D G M E N T

This writ petition is filed to quash the order passed by the Land Tribunal, Kannur directing the authorised officer to file a report in S.M. 667/96. The learned counsel would submit that there are previous report submitted by the authorised officer and it is not necessary to have another report in order to adjudicate the matter. The authorised officer under the provisions of the Kerala Land Reforms Act is competent to visit the property and submit a report. The Land Tribunal, being a quasi judicial authority, empowered to decide the matter, may have called for a report from the authorised officer for proper determination of the dispute between the parties. Therefore, at this stage, this Court cannot find whether a report of the authorised officer is necessary or not for a proper disposal of the matter. So, the order under challenge need not be interfered with and the Tribunal is permitted to call for the report of the authorised officer. But it is made clear that the authorised officer shall give notice of inspection to both sides and the parties may be permitted to file

objection to the authorised officer's report and the matter to be disposed of in accordance with law after complying with all procedural formalities.

M.N. KRISHNAN, JUDGE.

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